

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUIS MERCEDES,

Plaintiff,

v.

BENCHMARK MEDIA SYSTEMS,

Defendant.

23 Civ. 6226 (DEH)

ORDER

DALE E. HO, United States District Judge:

On February 21, 2024, the parties filed a joint status letter and proposed case management plan in advance of the initial pre-trial conference scheduled for February 28, 2024. *See* ECF. No. 19. In the joint status letter, Defendant requests that discovery be bifurcated to address Plaintiff's standing or, in the alternative, that it be permitted to conduct two depositions of Plaintiff, with the first to focus on standing. Plaintiff opposes the request.

It is hereby **ORDERED** that Defendant's request for bifurcated discovery or multiple depositions of Plaintiff is **DENIED**. Defendant does not provide a sufficient basis to depart from standard discovery procedure and may explore Plaintiff's standing to bring this suit as part of regular discovery. It is further **ORDERED** that because the parties' materials present no other issues to discuss, the initial pretrial conference is **CANCELLED**. If the parties wish to proceed with the conference, they shall promptly file a letter on ECF so the conference can be rescheduled on the Court's calendar. The case management plan will issue separately.

SO ORDERED.

Dated: February 23, 2024

New York, New York



DALE E. HO
United States District Judge